

FILED
U.S. DISTRICT COURT
DISTRICT OF WYOMING

2014 JAN 30 AM 8 23

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF WYOMING

STEPHAN HARRIS, CLERK
CHEYENNE

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL J. PLAKE,

Defendant,

and

**RELIASTAR LIFE INSURANCE
COMPANY,**

Garnishee.

**Criminal Action No. 12-CR-81-1F/ 13-CR-
20-1F**

FINAL ORDER IN GARNISHMENT

This matter is before the Court on Plaintiff's motion for entry of a final order in garnishment, pursuant to 28 U.S.C. § 3205, against the property of the judgment defendant, Michael J. Plake.

An Application for Writ of Garnishment was filed by the United States of America, and a Writ of Garnishment directed to Garnishee has been duly issued and served upon the Garnishee. Pursuant to the Writ of Garnishment, the Garnishee filed an Answer stating that at the time of the service of the Writ, it had in its possession or under its control personal property belonging to and due Defendant.

Defendant was served with a copy of the Writ of Garnishment and Answer and notified of his right to a hearing. Defendant has not requested a hearing to determine exempt property or objected to the Answer of Garnishee.

Whereupon the Court, having considered the Application for a Writ of Garnishment, the Answer of the Garnishee, and noting that Defendant has not exercised his right to request a hearing or object to the Answer now finds that the entry of the final order of garnishment is in all respects proper.

IT IS THEREFORE ORDERED that Garnishee Defendant is hereby ordered to pay into the hands of the Clerk of the United States District Court for the District of Wyoming the balance of the non-exempt assets of Defendant held by Garnishee Defendant as of the date it received this Order.

IT IS FURTHER ORDERED THAT this sum is to be applied upon the judgment rendered in this cause in the sum of \$1,698,664.77¹, upon which there is an unpaid balance of \$1,684,443.74 as of January 28, 2014.

Checks should be made payable to "Clerk of United States District Court" and mailed to:

Clerk, United States District Court for the District of Wyoming
2120 Capitol Avenue
Room 2131
Cheyenne, WY 82001

¹ This amount reflects the amount of restitution ordered in Plake's Amended Judgment entered January 28, 2014. (Doc. 142).

This order shall take effect after all prior orders in garnishment have been satisfied.

DATED this 29 day of January, 2014.



NANCY D. FREUDENTHAL
Chief U.S. District Court Judge